

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

CORY EUGENE WINDLAND,

Petitioner,

VS.

DOUGLAS DRETKE, Director  
Texas Department of Criminal Justice  
Correctional Institutions Division,

Respondent.

[illegible]

NO. 3-05-CV-2438-K

## ORDER

Before the Court are the Findings and Recommendation of the United States Magistrate Judge, filed April 27, 2006, and Petitioner's Objections thereto, filed May 12, 2006.

The Court has made the required independent review of the pleadings, files, and records in this case; the Findings and Recommendation of the Magistrate Judge; and Petitioner's Objections. Having done so, the Court is of the opinion that the Findings and Recommendations of the Magistrate Judge are correct with the exception of one change that the AEDPA statute of limitations was tolled from May 12, 2005 to October 19, 2005 (not to December 4, 2005) and with this change they are **ADOPTED** as the Findings and Conclusions of the Court, and Petitioner's Objections are **OVERRULED**.

Judgment will be entered accordingly.

SO ORDERED this 18th day of May, 2006.

s/ ED KINKEADE

ED KINKEADE

UNITED STATES DISTRICT JUDGE